

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

JOHN P. VARNER,

Plaintiff,

vs.

SUNRUN INSTALLATION SERVICES,  
INC.,

Defendant.

CIVIL NO. 18-cv-00328-JAO-KJM

ORDER GRANTING DEFENDANT'S  
MOTION TO COMPEL  
ARBITRATION AND DISMISS THE  
COMPLAINT

**ORDER GRANTING MOTION TO COMPEL ARBITRATION AND  
DISMISS COMPLAINT**

Plaintiff John Varner brought a single employment discrimination claim against Defendant Sunrun Installation Services, Inc. He alleges under the Americans with Disabilities Act that Sunrun discriminated against him on account of his disability. Doc. No. 1. Sunrun filed a motion to compel arbitration and dismiss the complaint based on the parties' arbitration agreement that all employment-related claims, including those under the Americans with Disabilities Act, must be resolved by binding arbitration. Doc. No. 9-1. Varner filed a

statement of no opposition to the motion.<sup>1</sup> Doc. No. 17; *see* LR 7.4 (“A party not opposing a motion shall instead file a statement of no opposition or no position[.]”).

The Court finds this matter appropriate for resolution without oral argument pursuant to Civil Local Rule 7.2(d), and therefore VACATES the hearing on this matter currently set for March 15, 2019 at 11:00 a.m. Because Varner does not oppose Sunrun’s motion to compel arbitration and dismiss the complaint, the Court GRANTS Sunrun’s motion to compel arbitration and DISMISSES the complaint without prejudice.

IT IS SO ORDERED.

DATED: Honolulu, Hawai‘i, March 6, 2019.



A handwritten signature of Jill A. Otake.

Jill A. Otake  
United States District Judge

Civil No. 18-00328-JAO-KJM, *Varner v. Sunrun Installation Services, Inc.*; ORDER GRANTING MOTION TO COMPEL ARBITRATION AND DISMISS

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<sup>1</sup> Plaintiff erroneously relied on Federal Rules of Civil Procedure 7(b) and 12(c) in his statement of no opposition. Those rules address forms of motions and motions for judgment on the pleadings. The Court construes Plaintiff’s statement of no opposition as made pursuant to Civil Local Rule 7.4.